IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 18927 of 2004

Between:

M. Dwarakanatha Reddy,

S/o. Nagireddy,
Valipadu,

Chittoor District.

..... PETITIONER

AND

The Regional Manager,

Andhra Pradesh State Road Transport Corporation,

Tirupathi,

Chittoor District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or directions, more in the nature of Writ of Mandamus, directing the respondent to consider and pass appropriate orders on the representation dated 12-8-2003 following the Circular No: PD-43/2000 dated 11-8-2000 and appoint as Driver forthwith.

Counsel for the Petitioner: Mr. P.GOVINDA RAJULU

Counsel for the Respondent : Mr. P.VINAYAKA SWAMY

The Court at the stage of admission made the following :

The petitioner was selected as a driver in the respondent-corporation on 8-5-1997 and was appointed in Madanapally –II Depot. While working in the capacity of driver, the petitioner was removed from service through the proceedings dated 21-1-1998 on the allegation that the driving licence of the petitioner is not a genuine one. Subsequently, on 11-8-2000 the respondent-Corporation issued a circular to all the concerned authorities to reconsider the cases of the drivers who were removed from service due to non possession of genuine licences and in pursuance of that the respondent issued a letter dated 31-8-2000 to the petitioner directing to obtain fresh driving licence and to produce the same before the concerned authorities on or before 31-3-2003. In pursuance of the said letter, the petitioner contends that he produced a Xerox copy of his new driving licence on 28-3-2003 before the respondent, but, the respondent did not consider his case for appointment as a driver and ultimately the respondent issued a letter on 19-3-2003 directing the petitioner to submit his original driving licence in person or through registered post on or before 31-3-2003 in the office of the respondent. The petitioner further contends that the concerned authorities found the driving licence as a genuine one, but did not consider his case for appointment as a driver, despite the respondent considering the cases of the candidates juniors to him. The petitioner, therefore, approached this Court seeking a direction to the respondent to consider his case by way of implementing the circular dated
11-8-2000 and appoint him as a driver.

In the light of the circumstances explained by the petitioner and in view of the circular of the Corporation dated 11-8-2000, the respondent is directed to consider the case of the petitioner if the genuineness of the driving licence produced by the petitioner is already verified and pass appropriate orders regarding the appointment of the petitioner as a driver in the Corporation.

Accordingly, the writ petition is disposed of.

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(Dr. G.YETHIRAJULU,J)

13th October, 2004.

Tsy/cs

To

1. The Regional Manager,

Andhra Pradesh State Road Transport Corporation,

Tirupathi,

Chittoor District.

2. Two CD copies.